

R. H. Wyner Associates, Inc., d.b.a. Shawmut Mills, has learned that the Department of Telecommunications and Energy is accepting written input regarding the possible shutdown of communications equipment presently operated by Broadview Networks and formerly operated by Net2000, Incorporated. As a former customer of Net2000 and a current customer of Broadview, Shawmut Mills is petitioning the DTE to intervene and delay the shutdown of the Broadview telecommunications equipment until there is enough time for us to effect a change to an alternate service provider. This document is submitted in response to the DTE invitation to petition to intervene as set forth in Docket D.T.E 02-14, entered on February 14, 2002, at the DTE offices at One South Station in Boston, Massachusetts.

We have been informed by Broadview that they will terminate service on a "DMS-500" switch in Charlestown, Massachusetts on Sunday, February 24<sup>th</sup>. This device provides an integrated T-1 link to our facility and carries service for our only published dial-up number, (508) 588-3300, seven hunt-group lines for this same number, and our two incoming fax lines. In addition, this same T-1 line carries our Internet access for a 100+ user network, and provides us with all our e-mail communications. Our business would suffer a substantial negative impact from the early termination of the service through Broadview. By intervening in this matter the DTE can ensure continuity of our telephone and Internet services upon which our business depends.

In particular:

- 1) Shawmut Mills entered into a 2-year contract agreement for telephone and Internet services with Net2000 that commenced with service on October 15, 2001.
- 2) In a letter dated December 17, 2001, we were notified that Cavalier Telephone, based in Richmond, Virginia, would be taking over the contract from Net2000.
- 3) On January 28, 2002, we received a telephone call from Jonathan Najar at Broadview Networks, informing us that our telecommunications were now being handled by Broadview, but that these services would be terminated on February 25, 2002 unless we signed a new contract with Broadview. We agreed to move to Broadview provided there were no unusual price disparities, and asked for a price quotation for this "new" service. 4) We were subsequently informed (on January 29, 2002) that Broadview did not intend to support customers in our area, and that we should find an alternate service provider. We immediately began seeking bids for our telecommunications service.
- 5) On February 5, 2002 we entered into a contract with CTC Communications for an integrated T-1 line to replace that of Broadview. CTC would "port" our existing telephone numbers to their network without an interruption in service.
- 6) We were informed by CTC on February 13, 2002 that said T-1 would not be installed until March 8, 2002. It is our understanding now that this date represents an expedited installation, as normal lead times are at least 6 weeks and often longer. Our telecommunications industry sources all agree that Broadview's notification window was far too narrow to provide sufficient time to establish alternate service.
- 7) On February 13, 2002, we contacted Jonathan Najar at the Boston Broadview office to persuade them to delay the equipment shutdown. We were informed that they intended to go forward, despite the disruption this would cause Shawmut Mills or any other customers.
- 8) On February 13, 2002 we contacted Verizon to see if they could "port" our most vital numbers to ordinary dial-up lines, only to discover that Verizon was prevented by law from effecting this transfer for a blackout period that extended to March 1<sup>st</sup>, well beyond the shutdown date we had been given by Broadview.
- 9) On February 19, 2002 we contacted the regional Broadview office in charge of the Net2000 transition to once again ask that the equipment remain on-line until we could migrate to another carrier, and again were told that the plans to shutdown remained in place.
- 10) On February 19, 2002 we also sent a strongly-worded e-mail message to senior members of Broadview Networks, including the President, Chief Operations Officer and Chief Technology

Officer, urging them to re-consider their plans. We have not received any reply from these officers.

Shawmut Mills has been located in Massachusetts since 1916, and employs 165 people at our West Bridgewater, Massachusetts facility. Our company manufactures goods on a just-in-time basis for the highly demanding automotive and medical industries. Our customer base involves many individual contacts and a large number of sites, and there are multiple individuals with the authority to make last-minute quantity adjustments to our delivery schedule. Since we supply critical materials for supply chains that feed a large number of automotive assembly lines, our failure to receive altered delivery instructions from a single individual can result in cascading shutdowns and multiple penalties, some of which run as high as \$9000 per minute. Our telecommunications capability is vital to our business; interruption would both cost us hard dollars and damage our reputation, perhaps to the point that we could not recover.

Sincerely,  
Jim Slavin  
VP, Information Services  
Shawmut Mills

P.S. Our initial attempt to resolve this matter through the DTE fell short, as we were informed on February 15, 2002 that this matter was "out of [the DTE's] jurisdiction". Eventually, on February 19 we discovered the open hearing through another channel. While we were relieved to find that the DTE was in fact the correct agency to pursue this matter, we believe you may receive a low number of petitions because the DTE's telephone representatives were unaware of the pending hearing.